UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,389	04/18/2001	Russel Roy Garvey	ROC920000331US1	7672

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EXAMINER
NANO, SARGON N

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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 April 2002*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the application filed on April 25, 2001.Claims 1 – 13

are pending examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Bixler

et al., U.S . Patent No. 6,212,559 in view of Bixler et al. 6,020,889

Bixler teaches the invention substantially as claimed including a method for

adding storage space to a server without powering down the server (see abstract).

As to claim 1, Bixler teaches a method for dynamically linking a storage space to

a network server, comprising:

adding a new disk drive image to a network server description for the network

server through a host server operating system, the new disk drive image corresponding

to the storage space to be linked (see col.8 lines 60 – col.9, lines 7 Bixler discloses

adding an icon using a GUI);

sending a dynamic linking request from the host server operating system to a

network server operating system (see col. 9 lines 9- 27 Bixler discloses sending a

request to development module);

in response to the dynamic linking request, sending a device scanning request

from the network server operating system to the host server operating system (see col.

9 lines 28 - 46 Bixler discloses identifying type of device and type of connection);

in response to the device scanning request, requesting response from each

device connected to each port of a host server and reporting the new disk drive image

to the network server operating system (col. 9, lines 40 – 55 Bixler discloses verifying

hardware requirements to establish connection); and

presenting the new disk drive image to users connected to the network server.

(see col. 8, lines 60 – col. 9 line7, Bixler discloses displaying new icon using GUI).

Bixler does not teach the limitation of SCSI port. Tarbox teaches a method of

using a GUI to represent a network topology using SCSI port (see col.4, lines 18 – 29).

It would have been obvious to one of the ordinary skill in the art at the time of the

invention to modify Bixler by adding SCSI port to the invention and by doing so, enable

the transfer of bits in parallel and operate in either synchronous or asynchronous

modes.

As to claim 2, Bixler teaches the method further comprising:

locking the new disk drive image and storing open pointers of the storage space prior to

sending the dynamic linking request. (see col.9 lines 28 – 40 Bixler discloses

establishing a link by establishing a net identification and information stored in data base).

As to claim 3, Bixler teaches the method wherein the storage space resides on a storage device connected to a port of a host server. (see col.3 lines 42 – 60 Bixler teaches computer configured to a network operational database).

As to claim 4, Bixler teaches the method wherein the device scanning request is sent from a device driver of the network server operating system to the host server operating system. (See col.3, lines 28, Bixler teaches communication network development to establish membership based on various criteria).,,

As to claim 5, Bixler teaches the method wherein a disk management program on the host server operating system requests response from each device connected to each port of a host server and reports the new disk drive image to device driver of the network server operating system. (see col. 9 lines 40 – 55 Bixler teaches the establishment physical nets based on available hardware and sends the data to a communication network engine).

As to claim 6, Bixler teaches the method wherein the storage space includes existing data. (see col.3 lines 42 – 60 Bixler discloses data stored in data base).

As to claim 7, Bixler teaches a method for linking a storage space to an active server, comprising:

adding a new disk drive image to a server description for the server, the new disk drive image corresponding to the storage space to be linked (see col.8 lines 60 – col.9, lines 7 Bixler discloses adding an icon using a GUI);

detecting changes on a bus indicating the new disk drive image corresponding to
the storage space (see col.4 lines 20 – 28, Bixler discloses the network configuration
changes transmitted to all computers in the network); and

presenting the new disk drive image to users connected to the server. (see col.
8, lines 60 – col. 9 line7, Bixler discloses displaying new icon using GUI).

As to claim 8, Bixler teaches The method further comprising: after adding the
new disk drive image, locking the new disk drive image and storing open pointers of the
storage space. (see col.9 lines 28 – 40 Bixler discloses establishing a link by
establishing a net identification and information stored in data base).

As to claim 9, Bixler teaches the method wherein the step of detecting changes
on the bus comprises:

sending a device scanning request from a device driver of a server operating
system; (see col.9 lines 28 – 40 Bixler discloses establishing a link by establishing a net
identification and information stored in data base).

requesting response from each device connected to each port of the server
(see col. 9, lines 40 – 55 Bixler discloses verifying hardware requirements to establish
connection); and

reporting the new disk drive image to the disk driver. (see col. 8 , lines 60- col.9
lines7, Bixler discloses displaying new icon using GUI).

As to claim 10, Bixler teaches the method wherein the storage space includes
existing data. (see col.3 lines 42 – 60 Bixler discloses data stored in data base).

As to claim 11, Bixler teaches a method for linking a storage space to an active

network server, comprising:

adding a new disk drive image to a network server description for the network server

through a host server operating system, the new disk drive image corresponding to the

storage space to be linked, the storage space residing on a storage device connected to

a port of a host server; (see col.8 lines 60 – col.9, lines 7 Bixler discloses adding an

icon using a GUI);

locking the new disk drive image and storing open pointers of the storage space;

sending a linking request from the host server operating system to a network server

operating system; (see col.9 lines 28 – 40 Bixler discloses establishing a link by

establishing a net identification and information stored in data base).

in response to the linking request, sending a device scanning request from a

device driver of the network server operating system to a disk management program of

the host server operating system;

in response to the device scanning request, detecting changes on a   bus of the

host server, requesting response from each device connected to each   port of the host

server and reporting the new disk drive image to the disk driver of the network server

operating system (see col. 9 lines 28 - 46 Bixler discloses identifying type of device

and type of connection) ; and

presenting the new disk drive image to users connected to the network server.

(see col. 8, lines 60 – col. 9 line7 , Bixler discloses displaying new icon using GUI).

As to claim 12, Bixler teaches the method wherein a disk management program

on the host server operating system responds to the device scanning request. (see col.

9 lines 40 – 55 Bixler teaches the establishment physical nets based on available

hardware and sends the data to a communication network engine).

As to claim 13, Bixler teaches the method wherein the storage space includes

existing data. (see col.3 lines 42 – 60 Bixler discloses data stored in data base).

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sargon N Nano whose telephone number is (703) 305-

4651. The examiner can normally be reached on Monday – Friday from 8:30 – 5:30

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (703) 308- 7562. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano
Patent Examiner / Art Unit 2157
7/27/2004

SALEH NAJJAR
PRIMARY EXAMINER